

## Message Text

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ACTION PM-05

INFO OCT-01 EUR-12 NEA-11 ISO-00 CIAE-00 H-01 INR-10  
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11  
DOE-15 ACDA-12 OMB-01 SOE-02 /107 W  
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P 051525Z MAY 78  
FM AMEMBASSY CAIRO  
TO SECSTATE WASHDC PRIORITY 8765  
INFO AMEMBASSY LONDON  
AMEMBASSY TEHRAN  
SECDEF WASH DC  
DIA WASH DC  
CNO WASH DC  
CINCLANTFLT NORFOLK VA  
USCINCEUR VAIHINGEN GE  
USNMR SHAPE BE  
CINCUSNAVEUR LONDON UK  
COMIDEASTFOR  
COMSIXTHFLT  
JCS WASH DC

S E C R E T SECTION 01 OF 03 CAIRO 12276

E.O. 11652: GDS  
TAGS: OCLR, US, EG  
SUBJECT: NUCLEAR POWERED WARSHIP TRANSITS OF THE  
SUEZ CANAL - RADM CHEWNING'S SECOND MEETING WITH  
EGYPTIAN OFFICIALS

REF: CAIRO 12170 (DTG 041902Z MAY 78)

1. SUMMARY: DURING SECOND MEETING WITH EGYPTIANS ON REF  
SUBJECT, MAY 3, RADM CHEWNING PROVIDED REQUESTED  
ADDITIONAL INFO ON LIABILITY AND SOME DETAILS RE RADIO-  
ACTIVITY MONITORING EQUIPMENT, INCLUDING REPRESENTATIVE  
COSTS, BASED UPON DATA PASSED BY PHONE FROM WASHINGTON.

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HE AGAIN STRESSED USG VIEW THAT MONITORING IN CANAL  
UNNECESSARY FOR REASONS CITED PREVIOUS DAY. WHILE  
EGYPTIAN SIDE PROFESSED ACCEPT USNPW SAFETY RECORD AND  
UNILATERAL ASSURANCES, IT AGAIN TOOK POSITION GOE BELIEVES  
THAT FOR DOMESTIC PURPOSES IT MUST MONITOR NUCLEAR POWERED  
VESSELS OF OTHER COUNTRIES THAT MAY WISH TRANSIT CANAL.  
IN EFFORT BREAK IMPASSE, AMBASSADOR PROPOSED THAT THE TWO

ISSUES BE DECOUPLED AND HANDLED SEPARATELY. SHOULD GOE REQUEST AID/CIP ALLOCATION TO PURCHASE MONITORING EQUIPMENT, WE WOULD INVESTIGATE POSSIBILITY ACCEDING TO ITS REQUEST. US NAVY WOULD NOT BE PREPARED PROVIDE MONITORING EQUIPMENT, NOR WOULD USG BE PREPARED TO TIE USNPW TRANSITS OF SUEZ CANAL TO AVAILABILITY SUCH EQUIPMENT" 'AMBASSADOR URGED THAT FAVORABLE DECISION ON USNPW TRANSIT BE MADE WITHOUT AWAITING POSSIBLE ARRANGEMENTS WHEREBY GOE CAN PURCHASE MONITORING EQUIPMENT. ONE MEMBER OF EGYPTIAN SIDE, HAMUDA, OPINED IT SHOULD BE THE OTHER WAY AROUND. EGYPTIAN SIDE AGREED PRESENT ISSUES TO DEPUTY PRIMIN SULTAN, WHO HAS ALSO BE CHARGED BY GAMASY AND FONMIN KAMEL TO HANDLE THEIR MINISTRIES' INTERESTS, FOR DECISION. WILL CONTINUE TO PRESS FOR EARLY FAVORABLE DECISION RE TRANSIT USNPW'S. END SUMMARY.

2. SECOND MEETING: ATTENDING SECOND MEETING WERE AMB, RADM CHEWNING, ALUSNA, MAHER ABAZA, OR EFFAT, DR HAMUDA, AND A MR SAYAN FROM THE MFA, WHO REPRESENTED NABIL EL ARABY. MEETING TOOK PLACE AT 1800, MAY 3, IN DR. EFFAT'S OFFICE.

3. RADM CHEWNING OPENED BY ANSWERING HOLD-OVER QUESTIONS FROM PREVIOUS MEETING WITH INFORMATION OBTAINED IN A PHONCON TO WASHINGTON. HE STATED THAT IN HIS OPINION, AFTER CONFERRING WITH HIS MILITARY LAWYERS, THAT LIABILITY  
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DUE TO INDIRECT LOSS UNDER PL 93-513 WOULD BE HANDLED AS FOLLOWS:

A. RESETTLEMENT WOULD BE VIEWED AS VIRTUALLY A DIRECT LOSS OF PERSONAL OR REAL PROPERTY AND WOULD BE FULLY COVERED.

B. LOSS OF REVENUE WOULD PROBABLY BE VIEWED AS AN APPROPRIATE CLAIM IF THE PROXIMATE CAUSE WERE AN ACCIDENT AS DESCRIBED IN STANDARD STATEMENT AND PUBLIC LAW 93-513.

C. THE LEGAL BATTLE IN SIMILAR ADMIRALTY CASES CENTERS ON PROOF OF NEGLIGENCE AND/OR LIMIT OF LIABILITY.

D. SINCE STANDARD STATEMENT/PL 93-513 ELIMINATES THESE ISSUES ONLY ESTABLISHMENT OF PROXIMATE CAUSE OF DAMAGE WOULD REMAIN.

E. USING CHESAPEAKE BAY BRIDGE CASE AS PRECIDENT, OPINIONS WERE UNIFORMLY THAT US GOVERNMENT WOULD MAKE LIBERAL LOSS OF REVENUE CLAIMS PAYMENTS. AT AMBASSADOR'S EARLIER SUGGESTION, HE EXPLAINED THAT IN REFERENCE TO

THE CHESAPEAKE BAY BRIDGE CASE, A NPW WAS NOT INVOLVD.

F. RADM CHEWNING PROVIDED HANDOUTS LISTING EQUIPMENT RECOMMENDED FOR USE BY A CIVIL DEFENSE TEAM IN HANDLING EMERGENCIES INVOLVING RADIOACTIVITY DUE TO ANY CAUSE INCLUDING GN NCCIDENT COVERED UNDER THE STANDARD STATEMENT. REPRESENTATIVE COSTS WERE ALSO LISTED. THE POINT AGAIN WAS STRONGLY MADE THAT USG DOES NOT CONSIDER THE KIND OF MONITORING ENVISIONED BY THE GOE TO BE NECESSARY FOR US NPW TRANSIT OF THE SUEZ CANAL.

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4. EFFAT MADE THE POINT THAT BASED ON CHEWNING'S ASSURANCES OF THE USN SAFETY RECORD AND HIS READINGS OF THE HANDOUTS, US NPW WOULD NOT SEEM TO BE A PROBLEM TO THE CANAL, BUT THAT THERE STILL IS WORRY ABOUT OTHER COUNTRIES AND THEREFORE EGYPT TRULY NEEDS MONITORING CAPABILITY. HAMUDA ALSO PROFESSED TO BE SATISFIED ABOUT US NPW SAFETY, BUT SAID THAT AFTER READING THE PUBLICATION, HE WAS MORE SURE THAN EVER EGYPT NEEDS

THE CAPABILITY TO MONITOR OTHER SHIPS. HE FURTHER  
REMARKED THAT IN HIS OPINION THE US SHOULD START  
MONITORING THE PANAMA CANAL. CHEWNING SAID THE US  
VIEWS THE TWO CANALS AS TERRITORIAL WATERS, JUST AS  
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PORTS AND ADJACENT WATERWAYS THROUGHOUT THE WORLD  
WHICH WE DO NOT MONITOR. IN ANY CASE, THE MAGNITUDE  
OF MONITORING ALL TERRITORIAL WATERS WOULD MAKE THAT  
TASK TOTALLY IMPOSSIBLE. EFFAT SAW THE ANALOGY AND  
SEEMED TO AGREE.

5. THERE FOLLOWED SOME MORE INCONCLUSIVE DISCUSSION,  
WITH EGYPTIAN SIDE STICKING TO NEED FOR MONITORING  
EQUIPMENT IN ORDER TO BE ABLE TO MEET GOE'S OBLIGATIONS  
TO EGYPTIAN PUBLIC. AMBASSADOR FINALLY SOUGHT TO BREAK  
IMPASSE BY SUGGESTING THAT THE QUESTIONS OF USNPW  
TRANSIT AND GOE BELIEF IT NEEDS MONITORING EQUIPMENT  
BE DECOUPLED AND HANDLED AS TWO SEPARATE MATTERS. IF  
GOE FOR DOMESTIC REASONS PERCEIVES NEED FOR MONITORING  
BECAUSE OF POSSIBILITY OTHER NPW OR COMMERCIAL NUCLEAR  
VESSELS MIGHT WISH TRANSIT SUEZ CANAL, WE RESPECT ITS  
JUDGMENT AND WOULD PERHAPS BE WILLING INVESTIGATE POS-  
SIBILITY OF ENABLING GOE PURCHASE SUCH EQUIPMENT THROUGH  
CIP ASSISTANCE. HE COULD, OF COURSE, MAKE NO COMMITMENT  
AT THIS TIME. IT SHOULD BE CLEARLY UNDERSTOOD, HOWEVER,  
THAT WE CANNOT AGREE THAT THIS BE IN ANY WAY ASSOCIATED  
WITH OUR REQUEST FOR NPW TRANSIT. AMBASSADOR REITERATED  
IMPECCABLE USNPW SAFETY RECORD IN TWENTY-THREE  
YEARS OF OPERATIONS, WHICH EVEN DR EFFAT HAD ACKNOWLEDGED  
(ABOVE) AND CONCERNING WHICH EFFAT HAD INDICATED  
READINESS ACCEPT OUR UNILATERAL PROPOSALS. IN CIRCUM-  
STANCES, AMBASSADOR SUGGESTED THE TWO THINGS BE HANDLED  
AS PARALLEL MATTERS AND VOICED THE HOPE THAT, SINCE  
EGYPTIANS HAD INDICATED THEIR CONCERN WAS WITH NON-  
AMERICAN NUCLEAR-POWERED VESSELS, AN EARLY POSITIVE  
DECISION MIGHT BE REACHED ON ALLOWING USNPW'S TO  
TRANSIT. ANY DELAYS IN PURCHASING OR INSTALLING MONITOR-  
ING SYSTEM, HE URGED, SHOULD NOT DELAY GOE APPROVAL FOR  
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USNPW TRANSITS. HAMUDA OPINED NO NPW TRANSIT SHOULD  
TAKE PLACE UNTIL AFTER MONITORING SYSTEM INSTALLED AND  
OPERATING SO THAT ADEQUATE BACKGROUND READING MIGHT  
TAKE PLACE. AMBASSADOR POINTED OUT THIS COULD TAKE  
YEARS AND MADE CLEAR USG VIEW THAT, IN ACCORDANCE WITH

CONSTANTINOPLE CONVENTION OF 1888, WE WISH EXERCISE OUR RIGHT SEND WARSHIPS, REGARDLESS OF METHOD OF PROPULSION, THROUGH THE CANAL. AMBASSADOR NOTED HE HAD ALREADY DISCUSSED SUBJECT WITH GENERAL GAMASY, WHO AGREES.

6. MAHER ABAZA, SPEAKING FOR SULTAN, INDICATED THAT GAMASY AND FONMIN KAMEL HAD ASKED SULTAN TO HANDLE THEIR INTERESTS IN ARRIVING AT DECISION ON THE QUESTION. HE STATED THAT EFFAT WOULD PRESENT COMMITTEE VIEWS TO SULTAN WITH THE PROPOSAL. SULTAN, AFTER CONSIDERING MATTER, WOULD DOUBTLESS HAVE TO HAVE "HIGHER LEVEL" APPROVAL. ABAZA AND EFFAT ENDORSED DE-COUPPING PROPOSAL AND ABAZA AT LEAST HOPED THAT DECISION COULD BEFORE LONG BE MADE. AMBASSADOR AGAIN EMPHASIZED THAT THE TWO ISSUES BE TREATED SEPARATELY AND THAT USG CANNOT PROVIDE MONITORING EQUIPMENT AS CONDITION FOR TRANSIT OF ITS NPW'S. IT MIGHT, HOWEVER, BE WILLING TO RESPOND TO GOE REQUEST THROUGH APPROPRIATE CIP ASSISTANCE'

7. IN SUBSEQUENT REVIEW OF THE TWO MEETINGS BY AMBASSADOR, CHEWNING AND ALUSNA, WE BELIEVE HAMUDA MAY

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STILL NOT UNDERSTAND DIFFERENCE BETWEEN EQUIPMENT NECES-  
SARY FOR MONITORING RADIOACTIVITY IN THE EVENT OF A  
NUCLEAR EMERGENCY AND FOR ENVIRONMENTAL MONITORING,  
ALTHOUGH DISTNCTION WAS MADE BY CHEWNING AND APPARENTLY  
UNDERSTOOD BY EFFAT. SINCE TWO TO THREE CIVIL DEFENSE  
TEAMS COULD BE EQUIPPED FOR AN ESTIMATED TEN THOUSAND  
DOLLARS OR SO, AS DISCUSSED IN HAND-OUT PROVIDED TO  
TECHNICAL COMMITTEE, THE COST OF DEVELOPING A RADIO-  
ACTIVITY EMERGENCY MONITORING CAPABILITY SHOULD NOT BE  
A STUMBLING BLOCK FOR GOE. ADDITIONALLY, ALTHOUGH GOE  
PROBABLY HAS EQUIPMENT TO HANDLE SUEZ CANAL MONITORING  
(TESTING AT INCHASS PLANT), HAMUDA AND HIS COLLEAGUES  
MAY WANT TO OBTAIN ADDITIONAL CIP ASSISTANCE FOR SOME  
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KIND OF EQUIPMENT THERE. WE ARE DISCUSSING SUBJECT WITH  
AID AND WILL SHORTLY SUBMIT RECOMMENDATION. IMPORTANT  
ISSUE, HOOEVER, IS THAT ANY SUCH REQUEST BY GOE BE  
TOTALLY SEPARATED FROM USNPW TRANSIT. WE WILL CONTINUE  
PRESS GOE AGREE TO USNPW TRANSIT WITHOUT REFERENCE TO  
PROGRESS ON ACQUISITION AND INSTALLATION OF MONITORING  
EQUIPMENT, BUT HAMUDA (AND SCA) ARE LIKELY TO BE  
STUMBLING BLOCKS. SULTAN AND GAMASY ARE FAVORABLY  
INCLINED AND WE MAY EXPECT THEM TO TRY TO ASSIST, BUT  
THEY ARE NOT LIKELY TO BE ABLE TO IGNORE COMPLETELY  
VIEWS OF TECHNICAL COMMITTEE. DEPENDING ON DEVELOPMENTS,  
AMBASSADOR WILL CONSIDER AGAIN DISCUSSING SUBJECT WITH  
VP MUBARAK. EILTS

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## Message Attributes

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